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3731

Docket No. CRD0959

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Jon Buzzard, et al.

Serial No.

09/975,873

Art Unit: 3731

Filed

October 12, 2001

Examiner: Victor X. Nguyen

For

Handle Deployment Mechanism For

Medical Device And Method

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(Date of Deposit)

Michael W. Montgomery
(Name of applicant, assignee, or Registered Representative)

(Signature)

March 4, 2004

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. In accordance with §1.97(b), since this Information Disclosure Statement is \boxtimes being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with _ the first or _ second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or the fee of Please charge Deposit Account No. 10-0750/ \$180.00 as set forth in \$1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) (attached); or the fee of Please charge Deposit Account No. 10-0750/ \$180.00 as set forth in §1.17(p). In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with $\S1.97(e)$ as set forth below and the fee of $\S180.00$ as set forth in $\S1.17(p)$.

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	Copies of each of the references listed on the attached Form PTO-1449 are				
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	Copies of references listed on the attached Form PTO-1449 are enclosed				
herewith EXC	CEPT THAT:				
	In view of the voluminous nature of references [list as appropriate], and				
	the likelihood that these references are available to the Examiner, copies				
	are not enclosed herewith.				
	If any of the foregoing publications are not available to the Examiner,				
	Applicant will endeavor to supply copies at the Examiner's request.				
	Copies of only foreign patent documents and non-patent literature are enclosed				
in accordance	with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application				
publication li	sted on the attached Form PTO-1449 are not enclosed because this U.S. patent				
application w	as filed after June 30, 2003 or this international application has entered the				
national stage	under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement				
under 37 CFF	R 1.98 (a)(2)(i).				
	There are no listed references which are not in the English language.				
\boxtimes	The relevance of those listed references which are not in the English language is				
as follows: F	as follows: French Patent FR 2 797 761 A1 is related to United States Patent 6,402,760 B1, of				
which a copy	is enclosed.				
\boxtimes	Attached are copies of search report(s) from corresponding patent application(s),				
which are list	ed on the attached Submission Under MPEP 609 D.				
	Attached are the following non-published pending patent applications which				
may be deem	ed relevant, which are listed on the attached Submission Under MPEP 609 D.				
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Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD0959/MWM.

Respectfully submitted,

Michael W. Montgomery

Reg. No. 35,958

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Dated: March 4, 2004

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	09/975,873
Filing Date	October 12, 2001
First Named Inventor	Jon Buzzard, et al.
Group Art Unit	3731
Examiner Name	Victor X. Nguyen
Attorney Docket Number	CRD0959

				U.S. PATENT DOCUMENTS		
Examiner Initials	Cite No.1	U.S. Patent Doo Number known)	Cument Kind Code ² (if	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		6,402,760	B1	Fedida	06-11-2002	
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FOREIGN PATENT DOCUMENTS Date of Publication Pages, Columns, Lines, Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant mm-dd-yyyy Examiner Cite Applicant of Cited Document figures appear Initials Office³ Number⁴ KindCode5 11-11-1998 EP 0 873 733 Α1 11-11-1998 EP 0 876 804 **A1** 03-261998 wo 98/11846 Α1 wo 02/087470 A1 07-11-2002 03-02-2001 FR 2 797 761 **A1**

Evenines	Date	ľ
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Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 8 Applicant is to place a check mark here if English language Translation Is attached.



SUBMISSION UNDER MPEP 609 D

Application Number 09/975,873

Filing Date October 12, 2001

First Named Inventor Jon Buzzard, et al.

Group Art Unit 3731

Examiner Name Victor X. Nguyen

Attorney Docket Number CRD0959

Page 1 of 1

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Initials	Cite No.¹	of Cited Document	Number	Kind Code ² (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear
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FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Foreign Patent Document where relevant passages or relevant figures appear Name of Patentee or Cite Examiner Applicant of Cited Document Number⁴ KindCode⁵ Office³ Initials No.1 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITQL LETTERS), title of the article (when appropriate), T² title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), Examiner Cite volume-issue number(s), publisher, city and/or country where published No.1 Initials* European Search Report EP 02 25 7071 dated 8 December 2003 with Annex to the European Search Report

Examiner	Date	
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